

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** Tonya and Timothy

Cain,

: **Chapter 13**

:

**Debtors**

: **Bky. No. 17-16840 JKF**

**O R D E R**

**AND NOW**, upon consideration of the Debtors' Motion to Approve Mortgage Loan Modification ("the Motion") between the Debtors and **Citimortgage** ("the Lender") (Doc. #25 ), and after notice, and there being no objection thereto, it is hereby **ORDERED** and **DETERMINED** that:

1. The Motion is **GRANTED**.
2. The Debtors are **AUTHORIZED** to enter into the loan modification transaction as set forth in the Motion and consummation of the transaction **SHALL NOT CONSTITUTE** a violation of the automatic stay, 11 U.S.C. §362(a).
3. If: (a) the loan modification provides for reinstatement of the loan account and the elimination of the pre-petition arrears and (b) the Lender has filed a proof of claim on account of pre-petition arrears, the Lender's proof of claim is **DISALLOWED** insofar as it constitutes a demand for payment of prepetition arrears.



**Date: April 26, 2018**

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**JEAN K. FITZSIMON  
U.S. BANKRUPTCY JUDGE**